

The Gazette



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GOVERNMENT OF INDIA

MINISTRY OF EXTERNAL AFFAIRS & COMMONWEALTH RELATIONS
NOTIFICATION

New Delhi, the 16th February 1949

No. D. 5939-Eur/48-Eur.—It is hereby notified for general information that the state of war between India and Austria ceased to exist on the 16th February 1949.

The Government of India bearing in mind that on 18th March, 1938, Austria was forcibly incorporated into the German Reich,

that on 3rd September 1939 a state of war was notified with the whole of the German Reich,

that active hostilities were ended by the declaration regarding the surrender of the German Reich issued on the 5th June, 1945,

that steps were then taken for the establishment of a free and independent Austria,

that through circumstances beyond Austrian control it has as yet proved impossible to conclude a Treaty which would dispose of questions relating to Austria arising out of the state of war with the German Reich,

have determined that without prejudice to the provisions of the said Declaration regarding the surrender of the German Reich or of the Agreement of the 28th June 1946, relating to the Control Machinery for Austria or to the decision of questions the settlement of which must await the conclusion of a Treaty, the formal state of war between India and Austria shall be immediately terminated and the relations between themselves and the Austrian Government forthwith brought into conformity with the amity which existed between them before the above mentioned incorporation of Austria into the German Reich.

The Government of India must for the present reserve the right to retain any money or property subject to control by virtue of trading with the enemy legislation or in the custody of any prize court, but no obstacle will be placed in the way of the acquisition of property after this date or of the immediate resumption of full commercial and financial dealings between India and Austria.

The Government of India must also for the present continue the suspension of the enforcement or settlement of contracts concluded before the war between persons in India and persons in Austria but contracts concluded after 16th February 1949 will be in the same position as contracts concluded with persons in any friendly country and no obstacles will be raised in connection with them by reason of the fact that a formal state of war has previously existed between India and Austria.

P. A. MENON, Joint Secy.